



FREEDOM OF INFORMATION ACT REQUEST

August 20, 2014

Ms. Nicole Mountoux
United States Environmental Protection Agency
Region 9
75 Hawthorne Street,
San Francisco, CA 94103

VIA EMAIL & CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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**"The moral arc
of the universe
is long,
but it bends
toward justice"**

Reverend Martin Luther
King Jr.
August 1966

1317D Evans Street,
San Francisco,
California 94124,
United States
of America
P 415.643.1190
E info@arcecology.org
W arcecology.org

Re: Disclosure of 1991 Hazard Ranking Ranking/ Assessment Packet for Treasure Island Naval Station Superfund Records Center 2255850, EPA ID# CA7170023330, Program Account #: FCA1843PAA, Date 9-26-91; all related materials, correspondence, distribution lists for this material, and any subsequent action memoranda.

Dear Nicole,

This is a request under the Freedom of Information Act (5 U.S.C. §552, as amended).

By this letter I am requesting any documents you may have associated with the "Summary Score Sheet for Computing Projected HRS Score for Treasure Island Naval Station, San Francisco, California". The evaluator was Mr. Howard Edwards. I also request any documents which discuss the Treasure Island HRS - such as staff and contractor instructions, reports, distribution lists, and subsequent documents discussing how to proceed with National Priorities List (NPL) consideration including electronic versions. I note that time is of the essence in this matter. Actions are in process with regard to Treasure Island that would benefit greatly through the release of this information. There is a great need for prompt disclosure so that the released information may more adequately inform the public debate.

I am making this request on behalf of Arc Ecology. Arc Ecology actively informs the public on matters affecting the CERCLA and other remedial and reuse activities focused on Treasure Island and San Francisco Regional Base Closure sites. Arc Ecology is represented on the Treasure Island Reuse Advisory Board and conducts independent technical reviews and evaluations of, and commentary on remedial and reuse planning and execution documents. Arc Ecology provides expert consultation to nongovernmental agencies and governmental bodies on issues regarding the Treasure Island projects. Arc Ecology provides direct support to Treasure Island residents concerned about the quality and safety of their environment. Arc Ecology maintains a public access archive of remedial, reuse and historic documents regarding Treasure Island and other former bases at our office at 1317D Evans Avenue in San Francisco.

These historic documents will illuminate in a clear and direct way, the USEPA in its role as evaluator of the hazard ranking process for evaluating facilities for inclusion on the National Priorities List and fulfills its important Congressional mandates to protect the environment. As such, their release will significantly contribute to public understanding and oversight of the USEPA's operations and the process for incorporating properties onto the NPL. We will analyze the data presented in the released documents and produce a

report as part of our ongoing review of the Treasure Island CERCLA remedial process, the environmental impacts of Base Realignment and Closures process, the National Priorities List, federal toxic and radiological remedial activities, and the efficacy of and requirements for the reutilization of former military properties. The report will be published on our web site, disseminated to the public through public meetings and other avenues including potentially the media.

The requesters plan to make these documents available to the public as part of our collection of historic remedial materials in our documents repository for Treasure Island located at 1317D Evans Avenue, San Francisco, California 94124. As this is a facility open to the general public and is used by academic and journalist researchers, many people will thereby have access to the information contained in the materials which are the subject of this request. Further, as our facility has been designated by the USEPA as the public documents repository for the Yosemite Slough cleanup, the requested material will further expand interest and facilitate public engagement. These materials will not be used for commercial use or gain.

This request is not meant to be exclusive of any other records which, though not specifically requested, would have a reasonable relationship to the subject matter of this request.

In the event that access to any of the requested records is denied, please note that the FOIA provides that if only portions of a requested file are exempted from release, the remainder must still be released. I therefore request that I be provided with all non-exempt portions which are reasonably segregable. I further request that you describe the deleted material in detail and specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination, and in formulating arguments in case an appeal is taken. The USEPA's written justification might also help to avoid unnecessary litigation. I of course reserve my right to appeal the withholding or deletion of any information and expect that you will list the office and address where such an appeal can be sent.

I anticipate, however, that you will make the requested materials available within the statutorily prescribed period. I thus also request that you waive any applicable fees since disclosure meets the statutory standard for waiver of fees in that it is clearly "in the public interest because furnishing the information can be considered as primarily benefiting the general public," 5 U.S.C. § 552(a)(4)(A). In this regard, I reiterate that I have no intention of using the information disclosed for financial gain. If for some reason, the fee waiver request is denied, while reserving my right to appeal such a decision, I am willing to pay \$5.00 (five dollars) to cover costs of document search and duplication. To reduce the costs of duplication and the use of paper I would be happy to receive these materials reproduced completely and in whole in PDF format on compact disc(s).

Access to the requested records should be granted within twenty (20) working days from the date of your receipt. Failure to respond in a timely manner shall be viewed as a denial of this request and the requesters may immediately file an administrative appeal. Thanking you in advance for your prompt reply.

Sincerely,

Saul Bloom
Executive Director
Arc Ecology